

# Exhibit 10

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE NORTHERN DISTRICT OF OHIO  
3                   EASTERN DIVISION  
- - -

4                   IN RE: NATIONAL : HON. DAN A.  
5                   PRESCRIPTION OPIATE : POLSTER  
6                   LITIGATION :  
7                   APPLIES TO ALL CASES : NO.  
8                   : 1:17-MD-2804

9                   - HIGHLY CONFIDENTIAL -

10                  SUBJECT TO FURTHER CONFIDENTIALITY REVIEW  
11                  - - -

12                  JANUARY 24, 2019  
13                  - - -

14                  Videotaped sworn deposition of  
15                  CHRISTINE BAEDER, taken pursuant to  
16                  notice, was held at GOLKOW LITIGATION  
17                  SERVICES, One Liberty Place, 1650 Market  
18                  Street, Philadelphia, Pennsylvania,  
19                  beginning at 9:09 a.m., on the above  
20                  date, before Margaret M. Reihl, a  
21                  Registered Professional Reporter,  
22                  Certified Shorthand Reporter, Certified  
23                  Realtime Reporter, and Notary Public.  
24                  - - -

25                  GOLKOW LITIGATION SERVICES  
26                  877.370.3377 ph | 917.591.5672 fax  
27                  deps@golkow.com

1                   responsibility was new --  
2                   commercialization of new product  
3                   launches for generics. I did that for  
4                   about a year. I took a leadership role  
5                   in customer service after about a year.  
6                   I stayed in that role, and that role  
7                   also expanded, so I went from a director  
8                   to a senior director for about four  
9                   years, maybe five years.

10                  And then I -- I was promoted to  
11                  be the head of customer operations and  
12                  marketing operations for US generics. I  
13                  did that for two years.

14                  And then Teva made a large  
15                  acquisition of Actavis causing somewhat  
16                  of a restructure, and I, in large part,  
17                  kept my role and my reporting structure  
18                  changed, and I became the senior vice  
19                  president at that time. I did that for  
20                  about two years.

21                  And then Teva -- Teva had a new  
22                  global CEO at the end of 2017. He did a  
23                  leadership restructure, which had some  
24                  downstream changes, implications as

1                   well, and so my reporting structure  
2                   changed at that point in time. And then  
3                   four or five months later Maureen  
4                   Cavanaugh, who was the COO of US  
5                   generics left the company, and they  
6                   combined her and my role.

7                   Q.         And you are currently chief  
8                   operations officer, correct?

9                   A.         For US generics, yes.

10                  Q.         US generics of Teva?

11                  A.         Yes.

12                  Q.         All right. Going back to your  
13                  employment with did you say Organon Pharma?

14                  A.         Organon.

15                  Q.         Approximately when did you  
16                  commence employment with that company?

17                  A.         We moved in 2002. I did it for  
18                  about a year. So 2000 or 2001.

19                  Q.         Okay. So fair to say since 2000  
20                  or 2001, your professional career has been spent  
21                  in the pharmaceutical industry?

22                  A.         Yes.

23                  Q.         Okay. Was Isotech a pharma  
24                  company?

1                   A.         Isotech was a provider to defense  
2         companies and pharmaceutical companies.

3                   Q.         Okay. So it had -- it certainly  
4         had a pharmaceutical component to it?

5                   A.         More of a research component.

6         They certainly didn't make -- the chemicals that  
7         Isotech makes are extraordinarily expensive,  
8         could be a million dollars for 2 grams, so  
9         they're not something that's used in  
10      commercialization. It's high R&D.

11                  Q.         Okay, I understand. You were  
12      at -- at Organon you were a field sales rep as  
13      it relates to anesthesia products, did you say?

14                  A.         Correct.

15                  Q.         And then at Sandoz, your initial  
16      responsibilities involved customer service?

17                  A.         Correct.

18                  Q.         What was the nature of those  
19      customer service responsibilities?

20                  A.         There was various facets. There  
21      was answering the phone and trying to direct  
22      patients to information they were seeking. For  
23      example, I'm allergic to red dye number 10, can  
24      you tell me does this drug have red dye number

1                   business that could impact the other  
2                   side. Predominantly, we would talk if  
3                   there was a decision to be made on the  
4                   generic side that would impact the brand  
5                   side, because the generic business is a  
6                   portfolio business, not a product by  
7                   product business. On the brand side  
8                   there are -- it's much more product  
9                   focused.

10          BY MR. KIEFFER:

11                  Q.        Okay. And is, again -- and I do  
12                  realize we're speaking in generalities.

13                  A.        Yeah.

14                  Q.        Sometimes that's helpful,  
15                  sometimes it gets too general to be meaningful.  
16                  So if it gets too general to be meaningful, you  
17                  tell me.

18                  You mentioned that the generic  
19                  business is a portfolio business, but, again,  
20                  recognizing that not everybody on our jury may  
21                  use that word every day, a portfolio is a  
22                  grouping of products, right?

23                  A.        Correct.

24                  Q.        And does the generic business

1 tend to be more of a portfolio business because  
2 of the nature of the customer, the immediate  
3 customers that Teva has on the generic side?

4 MS. HILLYER: Objection to form.

5 THE WITNESS: I don't know how to  
6 answer that. Let me give -- provide  
7 some information and see if it answers  
8 your question.

9 Teva has around 1,200 products.

10 I think we've had up to 1,500 generic  
11 products, and right now we have  
12 somewhere between 1,100 and 1,200  
13 products.

14 BY MR. KIEFFER:

15 Q. Generic products?

16 A. Generic products.

17 Q. Thank you.

18 A. So the nature of the business is  
19 quite different because you have a relatively,  
20 relative to the brand side of the business,  
21 small amount of individuals that are responsible  
22 for the sales of a very large amount of  
23 products.

24 Q. And a substantial part, and we

1 will get into some of this in a bit more detail  
2 later in the day, but a substantial part of  
3 Teva's generic sales is concentrated among a  
4 relatively small number of very large customers,  
5 correct?

6 MS. HILLYER: Objection to form.

7 THE WITNESS: The US generic  
8 marketplace is quite consolidated as far  
9 as market share, and there are three  
10 very large buying groups. They're  
11 actually not one customer. They're made  
12 up of multiple customers, but there are  
13 three dominant retail GPOs is how we  
14 refer to them.

15 BY MR. KIEFFER:

16 Q. Retail?

17 A. GPOs, group purchasing  
18 organizations.

19 Q. Okay. Is one of those an  
20 enterprise that goes by the name Walgreens Boots  
21 Alliance?

22 A. Yes, we refer to that as WBAD.

23 Q. That's come up in other  
24 depositions.

1       context of generics, can you explain what you  
2       mean?

3           A.       Generics provides pricing and  
4       generic provides availability information.

5           Q.       Do you believe that Teva promotes  
6       generic medications to physicians?

7           A.       No.

8           Q.       Why not?

9           A.       The decision-maker in generic  
10      procurement is not the physician. It's the  
11      officer at a corporate retail chain.

12          Q.       And is the same true for generic  
13      opioid medications, Teva does not promote to  
14      physicians?

15          A.       Correct, yes.

16          Q.       Does Teva promote generic  
17      medications to patients?

18          A.       No.

19          Q.       Why not?

20          A.       The economics of the generic  
21      products don't support the generally very  
22      expensive interfaces to reach patients.

23          Q.       And is the same true for generic  
24      opioid medications?

1 A. Yes.

2 Q. And you mentioned that as for  
3 generics, Teva engages in product availability  
4 and pricing type of marketing; is that right?

5 A. Correct.

6 Q. Is that different from what you  
7 understand the brand side does in terms of  
8 marketing?

9 A. Yes.

10 Q. Does Teva have a marketing budget  
11 for its generic opioid medications?

12 A. Not a specific budget for generic  
13 opioids.

14 Q. But does it have a marketing  
15 budget for generics generally?

16 A. It has a small marketing budget  
17 for generics generally.

18 Q. And what is that budget for?

19 A. That budget is for support of  
20 availability messaging, a limited number of  
21 journal advertisements around availability  
22 messaging, as well as coupons, programs for some  
23 limited generic products where it's deemed  
24 appropriate.

1 Q. Does Teva USA provide any  
2 messages concerning safety or efficacy of its  
3 generic opioids?

4 A. No.

5 Q. To your knowledge, has it ever?

6 A. No, not to my knowledge.

7 Q. Does Teva USA sponsor any  
8 continuing medical education programs for  
9 generic opioids?

10 A. Not to my knowledge.

11 Q. Has it ever?

12 A. No.

13 Q. Does Teva USA's budget for  
14 generics include sponsoring any pain-related  
15 trade associations?

16 A. Not to my knowledge.

17 Q. Has it ever?

18 A. No.

19 Q. Has Teva USA ever sponsored any  
20 key opinion leaders to conduct speaker or other  
21 programs to a generic -- for its generic  
22 opioids?

23 A. Not to my knowledge.

24 Q. Has it ever?